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PATENT 2185-0604P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MIYAKE, Kunihito et al. Conf.:

Appl. No.: 10/022,918 Group: Unassigned

Filed: December 20, 2001 Examiner: Unassigned

For: POLYBUTADIENE COMPOSITION

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION
OR WITH A RULE 1.114 RCE APPLICATION)

Assistant Commissioner for Patents Washington, DC 20231

February 28, 2002

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

a. DOCUMENTS IN THE ENGLISH LANGUAGE

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

d. **OTHER**

The following additional information is provided for the Examiner's consideration.

The English language Abstract of WO 00/00540 contains the same content in a description at line 21, page 51 to line 20, page 53 as disclosed in paragraphs [0037] to [0046] formula of EP 1024165A.

English language Abstract of WO 99/54394 contains the same content in a description at line 9 from the bottom of page 14 to line 20, page 16 formula of EP 1024265A.

<u>FEES</u>

IV.	\boxtimes	THIS (chec	IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):				
	a.		within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).				
	b.		within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.				
	C.		concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § $1.53(d)$ or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § $1.97(b)(4)$). No fee or statement is required.				
	d.		before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).				
V.		THIS (chec	IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c): ck one box)				
	before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).						
	a.		No statement; therefore, a fee in the amount of $\frac{180.00}{\text{or}}$ as required by 37 C.F.R. § 1.17(p).				
	b.		See the statement below. No fee is required.				

/I.	STAT	EMENT	UNDER 37 C.F.R. § 1.97(e) (check only one box)					
	The	unders	igned hereby states that					
	a.		each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or					
	b.	_	no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.					
	С.		Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.					
ZII.	PAYMENT OF FEES (check one box)							
	PAYMENT OF FEES (check one box) A check in the amount of \$180.00 as required by 3 C.F.R. § 1.17(p) is enclosed for the above-identified fee.							
		amoun	e charge Deposit Account No. 02-2448 in the trequired by 37 C.F.R. § 1.17(p) for the aboveated fee. A triplicate copy of this paper is hed.					
	\boxtimes	No fe	e is required.					

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By / foll

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Enclosures:

ADM:bmp 2185-0604P

□ Documents

Foreign Search Report

☐ Fee

□ Other:

(Rev. 10/31/01

Form PTO-			ATTY DOCKET NO. 2185-0604P	APPLICATION NO. 10/022,918			
OFINE	ORMATION DISCLOSURE	APPLICANT MIYAKE, Kunihito et al.					
FEB 2 8 200	(Use several sheets if neces	ssary)	FILING DATE December 20, 2001		GROUP Unassigned		
£ > 0	<u>J</u>	U.S. PATENT I	OCUMENTS				
INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING IF APPR	G DATE OPRIATE
	5,665,799	1997-09-09	Inui et al.				·
	4,632,956	1986-12-30	Kress et al.				
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSI. YES	ATION NO
	EP 1 024 165 A1	2000-02-08	EPO	†		 	
	WO 00/00540	2000-06-01	PCT	- 	 	Abs	
	WO 99/54394	1999-10-28	PCT			Abs	
				<u> </u>	t — —		
OTHER D	OCUMENTS (Include Name of the ausymposium, catalog, etc.) date, page(s),	thor (in CAPITAL LETTERS),	title of the article (when appro	priate), tit	:le of the it	em (book, r	nagazine,
Journal, Serial,	symposium, catalog, etc., date, page(s),	vorume-rashe number(s), pur	or siner, city and/or country whe	re published			
							
EXAMINER			DATE CONCIDENT				
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EXAMINER: Initia considered. Inc	l if citation considered, whether or not lude copy of this form with next communic	citation is in conformance wation to applicant.	rith M.P.E.P. 609; Draw line thro	ough citatio	n if not in o	conformance	and not